



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

ORIGINAL

November 29, 2018

BY EMAIL

Guy Petrillo, Esq.
Petrillo Klein & Boxer LLP
655 Third Avenue, 22nd Floor
New York, NY 10017

Re: United States v. Michael Cohen, 18 Cr. 602 (WHP)

Dear Mr. Petrillo:

This letter agreement (the "Supplemental Agreement") supplements the written plea agreement (the "SDNY Plea Agreement") entered into on August 21, 2018 between the Office of the United States Attorney for the Southern District of New York ("this Office") and Michael Cohen (the "defendant"). The understandings specified herein memorialize additional understandings between this Office and the defendant in addition to the conditions set forth in the SDNY Plea Agreement. Except as set forth explicitly herein, nothing in the Supplemental Agreement changes any terms of the SDNY Plea Agreement.

On August 21, 2018, the defendant entered a guilty plea to Counts One through Eight of the above referenced Information (the "SDNY Information"). The plea was accepted by the Honorable William H. Pauley III.

By letter agreement (the "SCO Plea Agreement") dated November 29, 2018 between the defendant and the Office of the Special Counsel ("SCO"), the defendant agreed to plead guilty to a one count Criminal Information (the "SCO Information"), filed in the Southern District of New York, charging the defendant with making false statements to Congress. The defendant intends to enter a guilty plea to Count One of the SCO Information pursuant to the SCO Plea Agreement and request that the Court transfer the SCO case to Judge Pauley for sentencing.

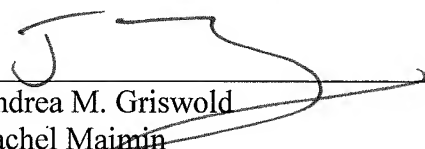
This Office is not a party to the SCO Plea Agreement. However, in the event that the defendant enters a guilty plea to the charge in the SCO Information, at the time of sentencing in the above-captioned matter, relevant facts regarding the defendant's provision of information to the SCO in connection with the investigation pertaining to the charge in the SCO Information will be brought to the Court's attention. This Office acknowledges that the defendant's provision of information to the SCO is a factor to be considered by the Court pursuant to Title 18, United States Code, Section 3553(a). The defendant understands that this Office will not file a motion pursuant to Section 5K1.1 of the U.S. Sentencing Guidelines, nor will he seek that this Office file such a motion.

No additional understandings, promises, or conditions have been entered into other than those set forth in the SDNY Plea Agreement, this Supplemental Agreement, and any written proffer agreements, and none will be entered into unless in writing and signed by all parties.


Very truly yours,

ROBERT KHUZAMI,
Attorney for the United States
Acting Under Authority Conferred
By 28 U.S.C. § 515

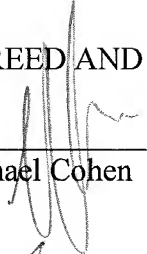
By:


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APPROVED:


RUSSELL CAPONE
Chief, Public Corruption Unit
EDWARD DISKANT
Deputy Chief, Public Corruption Unit

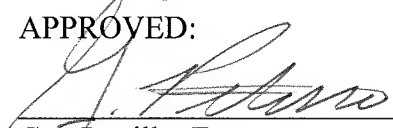
AGREED AND CONSENTED TO:


Michael Cohen

11. 29. 18

DATE

APPROVED:


Guy Petrillo, Esq.
Attorney for Michael Cohen

Nov. 29, 2018

DATE